

COMMONWEALTH OF VIRGINIA  
PRINCE WILLIAM COUNTY  
BOARD OF ZONING APPEALS

Brief  
February 24, 2025  
Regular Meeting  
Board Chambers  
James J. McCoart Administration Building

Chairman Chamberlin provided information about the authority of the Board of Zoning Appeals (BZA), noted that the members of the BZA are volunteers and outlined the procedures for the meeting.

**Item 1.**

**Roll Call 2:00 p.m.**

Present: Paul F. Chamberlin, Chairman  
Jonathan N. Francis, Alternate  
Rex Luzader, Alternate  
Joseph R. Pasanello  
Robert Perry, Vice Chairman

Absent: Lucy Beauchamp  
Travis Goodman  
Davon Gray  
Clarence Hempfield, Jr

Quorum present

Chairman Chamberlin identified the cases to be heard at today's meeting, provided information about the authority of the Board of Zoning Appeals (BZA) and outlined the process for the meeting.

Chairman Chamberlin swore in speakers and opened the public hearing.

**Note:** Appeal Case #APL2025-00010, Madera Farm LLC, and Appeal Case #APL2025-00011, SiteOne Landscape Supply LLC, are being heard together.

**Item 2. Appeal Case #APL2025-00010, Madera Farm LLC**

To consider an appeal of Violation Notice and Correction Order #ZON2025-00706, issued on November 22, 2024, concerning violation of the following section of the Prince William County Code: Sec. 32-200.12, no zoning approval for a mulching operation. Property located in the A-1, Agricultural Zoning District; GPIN: 7493-24-4694; 13250 Warrenton Road in the **Brentsville Magisterial District**.

**Item 3. Appeal Case #APL2025-00011, SiteOne Landscape Supply, LLC**

To consider an appeal of Violation Notice and Correction Order #ZON2025-00706, issued on November 22, 2024, concerning violation of the following section of the Prince William County Code: Sec. 32-200.12, no zoning approval for a mulching operation. Property located in the A-1, Agricultural Zoning District; GPIN: 7493-24-4694; 13250 Warrenton Road in the **Brentsville Magisterial District**.

Staff, represented by Robert P. Skoff, County Attorney's Office, introduced the case as an appeal to a Violation Notice Correction Order (VNCO), this is the fourth appeal, and the legal arguments remain the same as those previously brought to the BZA, nothing has changed with the staff's position.

Questions were raised by members about how this case differs from the previous one that the owner brought previously to the BZA, Mr. Skoff responded it is the same argument, and Lisa Fink-Butler, Zoning Administrator added hauling of dirt was included on the previous case, which is not part of this VNCO.

Mr. Hickman provided history on the previous cases, and he presented this argument for the appellant, who owns the property, along with additional exhibits for the current VNCO.

Questions were raised by members and staff and answered by Mr. Hickman.

Ms. Zwicker presented, along with additional exhibits, for her appellant, who leases the property.

Questions were raised by members and staff and answered by Ms. Zwicker.

Beverly Cunningham, adjoining property owner, spoke and shared photos which were entered as exhibits.

Mr. Hickman and Ms. Zwicker had no objections to photos being entered as exhibits to the case.

Mr. Hickman provided closing arguments.

Questions were raised by members and staff and answered by Mr. Hickman.

Ms. Zwicker provided closing arguments.

Mr. Skoff provided additional closing arguments; zoning approval is required.

Questions were raised by members and staff and answered by Mr. Skoff.

Chairman Chamberlin closed the public hearing.

Mr. Chamberlain asked for a motion, to APL2025-00010, regarding Madera Farm, LLC combined with APL2025-00011, SiteOne Landscape Supply, LLC.

Motion to affirm the zoning administrator's determination regarding Zoning Determination VNCO #ZON2025-00706, issued November 22, 2024, as detailed in Appeal Case #APL2025-00010 combined with APL2025-00011; **APPROVED - MOTION CARRIES** (5-0); [VOTING RECORD: Motion Pasanello, second Luzader; Ayes by acclamation; Nays None; Absent from meeting – Beauchamp, Goodman, Gray, Hempfield] – see RES 2025-005

The Chair advised that the appellant has 30 days in which to appeal the decision of the Board of Zoning Appeals to the Circuit Court.

Public Hearing closed: 3:47 PM

**Item 4.** Approval of January 27, 2025, Brief and Resolutions

Motion to approve January 27, 2025, brief and resolutions as presented; **APPROVED - MOTION CARRIED** [VOTING RECORD: Motion Francis, second Luzader; Ayes by acclamation; Nays none; Absent from vote None; Absent from meeting Beauchamp, Goodman, Gray, Hempfield] - see RES 2025-006

**Item 5.** Chairman's Time

**Item 6.** Vice Chairman's Time – Thanks for allowing me to serve. I'm looking forward to continuing my regular service on the BZA in the upcoming year.

Robert Perry as Vice Chairman; **APPROVED - MOTION CARRIED** [VOTING RECORD: Motion Chamberlin, second Francis; Ayes by acclamation; Nays none; Absent from vote None; Absent from meeting Goodman, Gray, Pasanello, Perry] – see RES 2025-004.

**Item 7.**     Staff Time/Departmental Procedures

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Ms. Fink-Butler advised there are two cases for next month, we are hearing both cases at the same time, one is the owner, and the other is the lessee. You will have the staff report by 2/10, which is 14 days prior to the BZA meeting as promised. We hope this will help when legal counsel is needed.

**Item 8.**     New Business - None

**Item 9.**     Adjournment at 4:32 p.m.

COMMONWEALTH OF VIRGINIA  
PRINCE WILLIAM COUNTY  
BOARD OF ZONING APPEALS

Resolution 2025-005  
BZA Appeal Case #APL2025-00010, Madera Farm, LLC  
Combined with  
#APL2025-00011, SiteOne Landscape Supply, LLC  
Meeting of February 24, 2025

Upon consideration of a motion made by Joseph Pasanello, seconded by Rex Luzader, and for the reasons given in the attached transcript for Resolution 2025-005, it is

RESOLVED to affirm the Zoning Administrator's determination regarding Violation and Correction Order (VNCO), #ZON2025-00706 issued November 22, 2024, concerning violation of the Prince William County Code, Section 32-200-.12, as detailed in appeal cases #APL2025-00010, Madera Farm, LLC and #APL2025-00011, SiteOne Landscape Supply, LLC and in the public hearing held on February 24, 2025.

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Paul F. Chamberlin  
Chairman

Ayes: Chamberlin, Pasanello, Perry, Francis, Luzader

Nays: Francis

Absent from vote: None

Absent from meeting: Beauchamp, Goodman, Gray, Hempfield, Perry

Transcript  
Discussion of Resolution 2025-005  
Appeal Case #APL2025-00010, Madera Farm, LLC  
Combined with  
#APL2025-00011 SiteOne Landscape Supply, LLC

To consider an appeal of Violation Notice and Correction Order #ZON2025-00706 issued on November 22, 2024, concerning violation of the Prince William County Code: Sec. 32-200.12 pertaining to no zoning approval for a mulching operation.

Property located in the A-1, Agricultural Zoning District; GPINs: 7493-24-4694 (13250 Warrenton Road) in the Brentsville Magisterial District.

CHAMBERLIN: The motion has been made and has been seconded. Is there any commentary? Mr. Pasanello, please state your rationale for the motion.

PASANELLO: Mr. Chairman, thank you, I want to thank everybody, counsels today Mr. Hickman, Ms. Wicker, Mr. Skoff, Witness Ms. Cunningham and all the others in attendance. Mr. Chairman in my opinion and I would urge the board to vote on this motion and I think it bears repeating that I believe 15.2-2309 that you just read powers and duties of boards of zoning appeals, and what it says is the decision on such appeals shall be based on the boards judgment on whether the administrative officer was correct the determination of the administrator officer will be presumed to be correct at an hearing on an appeal the administrative officer shall explain the basis for his/her determination after which the appellant has the burden of proof to rebut such presumption of correction by a preponderance of the evidence and by my estimation they have not, and I further believe the VNCO #ZON2025-00706 that was issued on November 22, 2024 was correctly issued. Mr. Chairman there was a lot of discussion, and some very good arguments and I heard the County Attorney say some things about the AFD as well as the appellant's counsel, but I actually firmly believe based on the reading of the code itself 15.2-4303, it says the power of localities to enact ordinances that relate to the AFD; so in my estimation and I would like the board to consider this in our debate is that this establishes the ability for communities and municipalities, localities to enact ordinances to in order to promote the AFD, I don't think this conveys the approval.

CHAMBERLIN: Thank you. Mr. Luzader, what's your rationale for seconding the motion?

LUZADER: I concur with the arguments it's clear to me we are being asked to make a judgement as to whether or not the activities permitted Forestal production and that's beyond our scope at this point and time.

CHAMBERLIN: Thank you. Any other comments?

CHAMBERLIN: I have one comment as the VNCO points out and, as the County Attorney pointed out, the zoning administrator issued a violation notice and correction order based on the zoning administrator's interpretation and understanding of the zoning ordinance. A zoning ordinance grants only a zoning administrator authority to interrupt the zoning ordinance. The contending parties have as I understand it argued that the statutory guidance for AFDs and the zoning ordinance are not wholly in sync, to paraphrase. As Mr. Luzader points out, whether the statute is correct or not is beyond the ability of the BZA, which does not have the authority to comment on that only to determine if the zoning administrator was correct in making the recommendation and I did not have a clear rebuttal of that.

CHAMBERLIN: Madam Secretary, read the statement and take the vote.

COMMONWEALTH OF VIRGINIA  
PRINCE WILLIAM COUNTY  
BOARD OF ZONING APPEALS

Resolution 2025-006  
Meeting of February 24, 2025

Upon consideration of a motion made by Jonathan Francis and seconded by Rex Luzader, it is

RESOLVED that the January 27, 2025, Brief and Resolutions, as presented are approved.

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Paul F. Chamberlin  
Chairman

Ayes: by Acclamation

Nays: None

Absent from vote: None

Absent from meeting: Beauchamp, Goodman, Gray, Hempfield